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ATTORNEYS FOR DEFENDANTS

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

HARRISON COMPANY, LLC.,

Plaintiff,

v.

**A-Z WHOLESALERS, INC., and
BARKAT G. ALI,**

Defendants.

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Civil Action No.: 3:19-cv-01057-B

**DEFENDANTS' OBJECTIONS TO EXHIBITS
OF PLAINTIFF HARRISON COMPANY, LLC**

EXHIBITS

Pursuant to this Court's *Scheduling Order* (Dkt. No. 9), Defendants object to certain enumerated exhibits of Plaintiff Harrison Company, LLC, for the reasons attached hereto as Exhibit "A." Defendant acknowledges that it had certain difficulties with meeting the deadline established in the *Scheduling Order*, but notes that such difficulties were perpetuated by the unforeseen death of a member of Defendant's counsel's family, and the need to attend out-of-state funeral services coincident with this deadline. Defendant requests the Court's understanding and indulgence in this matter.

DATED: March 25, 2021.

Respectfully submitted,

/s/ Joyce W. Lindauer

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 25, 2021, a true and correct copy of the foregoing was served on all parties via the Court's ECF system.

/s/ Joyce W. Lindauer

Joyce W. Lindauer

A-Z Wholesalers, Inc.'s Objections to Plaintiff's Trial Exhibit List

Harrison Company, LLC v. A-Z Wholesalers, Inc. and Barkat G. Ali

Civil Action No. 3:19-cv-1057-B

In the United States District Court for the Northern District of Texas (Dallas Division)

Exhibit No.	Document	Reference		A-Z's Objection	Ruling		
	General Description	Beginning No.	Ending No.		Offered	Admitted	Admit w/ Limit
1	Credit Application, Credit Agreement & Guaranty, dated March 11, 2011	HAR000157	HAR000159	No objection.			
2	4/10/14 Email from Wayne Baquet to customers	AZ000850		No objection.			
3	Article of Amendment to Article of Organization of Harrison Company, LLC, dated June 30, 2008	ECF 63, pp. 6-7		No objection.			
4	Certificate of Merger of Noble Feldman, LLC and Imperial Trading Co., LLC, dated September 1, 2014	HAR000620	HAR000624	No objection.			
5	Organizational Chart Prior to September 1, 2014	HAR006055		401/402 - Relevance 801 - Hearsay Demonstrative Exhibit.			
6	10/31/14 Email with attached letter from Wayne Baquet to customers	AZ005029 / AZ000942	AZ005030 / AZ000943	No objection.			
7	Current Organizational Chart	HAR006173		401/402 - Relevance 801 - Hearsay Demonstrative Exhibit.			
8	Demand letter from Plaintiff's counsel to Defendants' counsel, dated May 2, 2019	HAR000609	HAR000619	No objection.			
9	11/24/14 Email from Barkat	HAR005700	HAR005701	No objection.			
10	12/22/14 Email from Barkat	HAR005748 / AZ001011		No objection.			
11	2/27/2015 Email from Amar to Barkat, with attachment	AZ000139	AZ000140	No objection.			
12	3/5/15 Email from Brad A.	AZ006295		No objection.			
13	3/6/15 Email from Brad A., with attachment	AZ006298	AZ006299	No objection.			
14	2/27/15 Email from Brad A. with attachment	AZ006300	AZ6301	No objection.			
15	3/13/15 Email from Brad A., with attachment	AZ001382	AZ001383	No objection.			
16	3/26/15 Email from Brad A.	AZ001403		No objection.			
17	3/29/15 Email from Brad A., with attachment	AZ002498	AZ002499	No objection.			
18	4/20/15 Email from Brad A., with attachment	AZ002515	AZ002516	No objection.			
19	3/14/15 Email from Rafiq	AZ006443	AZ006444	No objection.			
20	8/23/17 Email from Rafiq	AZ008031	AZ008033	No objection.			
21	10/30/15 Email from Brad P., with attachment	AZ006668	AZ006669	No objection.			
22	6/15/18 Letter re: balance for auditor	HAR005865	HAR005868	No objection.			
23	3/15/19 Email from Sandy Z., with attachment	AZ010031		No objection.			
24	Dan Burgos W-2s (2018-2020)	HAR006167	HAR006168	401/402 - Relevance 801 - Hearsay			
25	Chris McClure W-2s (2018-2020)	HAR006169	HAR007170	401/402 - Relevance 801 - Hearsay			
26	Scott Faley W-2s (2018-2020)	HAR006171	HAR006172	401/402 - Relevance 801 - Hearsay			
27	Pictures of Harrison Trucks	HAR006111	HAR006015	No objection.			
28	Harrison truck rentals (Ryder)	HAR006009	HAR006027	401/402 - Relevance 801 - Hearsay			

A-Z Wholesalers, Inc.'s Objections to Plaintiff's Trial Exhibit List

Harrison Company, LLC v. A-Z Wholesalers, Inc. and Barkat G. Ali

Civil Action No. 3:19-cv-1057-B

In the United States District Court for the Northern District of Texas (Dallas Division)

Exhibit No.	Document	Reference		A-Z's Objection	Ruling		
	General Description	Beginning No.	Ending No.		Offered	Admitted	Admit w/ Limit
29	Harrison truck rentals (Penske)	HAR005966	HAR006008	401/402 - Relevance 801 - Hearsay			
30	2/2015 Harrison Ferrara Candy Vendor Invoices / Payments	HAR005958	HAR005963	401/402 - Relevance 403 - Confusing 801 - Hearsay			
31	11/2015 Imperial Ferrara Candy Vendor Invoices / Payments	HAR006033	HAR006046	401/402 - Relevance 403 - Confusing 801 - Hearsay			
32	11/2015 Harrison Ferrara Candy Vendor Invoices / Payments	HAR005952	HAR005957	401/402 - Relevance 403 - Confusing 801 - Hearsay			
33	11/2018 Imperial Ferrara Candy Vendor Invoices / Payments	HAR006028	HAR006032	401/402 - Relevance 403 - Confusing 801 - Hearsay			
34	10/2018 Harrison Ferrara Candy Vendor Invoices / Payments	HAR005945	HAR005951	401/402 - Relevance 403 - Confusing 801 - Hearsay			
35	Intercompany Documentation	HAR005869	HAR005874	No objection.			
36	10/15/18 Invoice	HAR006066	HAR006069	No objection.			
37	10/15/18 Manifest	HAR006070		No objection.			
38	10/15/18 A/R Daily Invoice Recap	HAR006071	HAR006074	No objection.			
39	10/15/18 General Ledger Display Detail	HAR006075	HAR006077	No objection.			
40	2/28/19 A/R Daily Invoice Recap	HAR006078	HAR006109	401/402 - Relevance 403 - Confusing 801 - Hearsay			
41	2/28/19 General Ledger Display Detail	HAR006110		No objection.			
42	5/31/18 A-Z Aged Trial Balance	HAR	HAR	401/402 - Relevance 801 - Hearsay			
43	5/31/18 Aged Trial Balance	HAR003707	HAR003911	401/402 - Relevance 403 - Confusing, needlessly cumulative 801 - Hearsay			
44	5/31/19 Aged Trial Balance	HAR003917	HAR004122	401/402 - Relevance 403 - Confusing, needlessly cumulative 801 - Hearsay			
45	5/29/20 Aged Trial Balance	HAR004123	HAR004315	401/402 - Relevance 403 - Confusing, needlessly cumulative 801 - Hearsay			
46	A-Z Transaction Detail, 6/1/18 through 5/31/19	ECF 53, pp. 51-72		401/402 - Relevance 403 - Confusing 801 - Hearsay			
47	Accounting Summary	HAR003916		401/402 - Relevance 403 - Confusing 801 - Hearsay			

A-Z Wholesalers, Inc.'s Objections to Plaintiff's Trial Exhibit List

Harrison Company, LLC v. A-Z Wholesalers, Inc. and Barkat G. Ali

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Exhibit No.	Document	Reference		A-Z's Objection	Ruling		
	General Description	Beginning No.	Ending No.		Offered	Admitted	Admit w/ Limit
48	Travelers Verification Certificate (Harrison)	HAR006047	HAR006049	401/402 - Relevance 403 - Confusing 801 - Hearsay			
49	11/2020 Harrison Electric Bill	HAR005964	HAR005965	401/402 - Relevance 403 - Confusing 801 - Hearsay			
50	Harrison Multiple Indebtedness Mortgage	HAR005929	HAR005944	401/402 - Relevance 403 - Confusing 801 - Hearsay			
51	Promissory Note in Harrison's name, signed by Imperial as sole member of Harrison	HAR006063	HAR006064	401/402 - Relevance 403 - Confusing 801 - Hearsay			
52	Harrison Acknowledgment of Multiple Indebtedness Mortgage	HAR005927	HAR005928	401/402 - Relevance 403 - Confusing 801 - Hearsay			
53	Harrison Pledge of Leases and Rents	HAR006050	HAR006062	401/402 - Relevance 403 - Confusing 801 - Hearsay			
54	Imperial Trading Co. LLC Certificate of Liability Insurance (naming Harrison Company, LLC as additional insured)	HAR005875	HAR6876	401/402 - Relevance 403 - Confusing 801 - Hearsay			
55	Louisiana certified copies of organizational documents of Imperial	HAR005896	HAR005926	No objection.			
56	Louisiana certified copies of organizational documents of Harrison	HAR005877	HAR005895	No objection.			
57	Invoices for A-Z Acct No. 95750/017501 5/4/15 through 9/28/15	HAR005055	HAR005267	No objection.			
58	Invoices for A-Z Acct No. 95751/017502 5/4/15 through 9/28/15	HAR004517	HAR004701	No objection.			
59	2016 AZ/Waco Invoices	HAR004702	HAR005054	No objection.			
60	2016 AZ/Dallas Invoices	HAR005268	HAR005688	No objection.			
61	5/31/19 Aged Trial Balance	HAR003917	HAR004122	401/402 - Relevance 403 - Confusing 801 - Hearsay			
Demo	Map of Texas / Louisiana			Not provided			
Demo	Harrison Warehouse Photo			Not provided			
Demo	Imperial Warehouse Photo			Not provided			
Demo	Brad Prendergast headshot			Not provided			
Demo	Wayne Baquet Headshot			Not provided			
Demo	Sandy Zazulak Headshot			Not provided			
Demo	Scott Faley Headshot			Not provided			
Demo	Chris McClure Headshot			Not provided			
Demo	Dan Burgos Headshot			Not provided			
Demo	Harrison operations process diagram			Not provided			
Demo	Timeline of events			Not provided			
Demo	Slide deck for opening			Not provided			
Demo	Slide deck for closing			Not provided			